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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,117	09/17/2003	John Chris Karamanos	KARAM-001	8522
29141	7590	08/11/2004	EXAMINER	
SAWYER LAW GROUP LLP P O BOX 51418 PALO ALTO, CA 94303			STERLING, AMY JO	
			ART UNIT	PAPER NUMBER
			3632	
DATE MAILED: 08/11/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/667,117

Applicant(s)

KARAMANOS, JOHN CHRIS

Examiner

Amy J. Sterling

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This is the first Office Action for application number 10/667,117, Universal Bracket for Transporting an Assembled Conduit, filed on 9/17/03. Claims 1-21 are pending.

#### ***Election/Restrictions***

No claims have been withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species. Applicant asserts that all claims are generic.

Applicant timely traversed the restriction (election) requirement in the reply filed on 6/29/04.

#### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "grommet" of claims 6 and 13 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not

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be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claim 1 is objected to because of the following informalities: Line 3 contains "a arm" which should be changed to "an arm". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1-5, 7-12, 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 6142405 to Black.

The patent to Black discloses a bracket (10) having a body (30) with a plane, a first and second arm (40, 50) coupled to the body which extends laterally from the body in a direction parallel to the plane of the body, the second arm being opposite the first arm, a support guide (42, 52) located within the arms each support guide having a partial enclosure in the arm and are capable of being configured to receive a pipe through the partial enclosure by moving the pipe in a direction perpendicular to the plane formed by the body, if so desired. Black also shows a base (24) providing support for and coupled to the body which forms a plane perpendicular to the plane formed by the body (30) and extends to both sides of the plane formed by the body (30) and could be adapted to be attached to a platform if so desired, and a handle (60) coupled to the body opposite the base, the plane of the body which is perpendicular to a line which would be formed if a pipe was inserted into the support guide.

Claims 18-21 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 4123012 to Hough.

Hough discloses the method of securing a bracket (10) by the handle (11) and moving the bracket, the bracket having a base (13). Hough also discloses attaching the base of the bracket to a platform (using apertures 20 and 21, See Col 3, lines 10-15).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6, 9,10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 4541602 to Potzas and in view of United States Patent No. 2534690 to Young, Jr. et al.

Potzas discloses applicant's basic inventive concept including a pipe holding device (10) with a body (52), wherein the body forms a plane and first and second arms (20, 22) coupled to the body and extending laterally from the body in a direction parallel to the plane of the body (52), the second arm opposite the first arm, a support guide (32) in each of the arm configured for receiving a pipe to provide support to the pipe, the plane formed by the body being perpendicular to the line formed by the pipe and a base, coupled to the body and configured to attach to a platform, providing support to the body and a handle (54) coupled to the body opposite the base, the handle (54) used to maneuver the bracket.

Potzas does not show a grommet mounted within the support guide.

Young, Jr. et al. teaches a pipe support (10) wherein a grommet (21) is used to further support the pipe and to protect the pipe from damage. Therefore, it would have been obvious to one having ordinary skill in the art at the time the

invention was made from the teachings of Young, Jr. et al. to have added a grommet to the pipe holding device of Potzas in order to further support and protect the pipe from damage.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following documents show various brackets with arms

2003/0222185 to Rubenstein et al.

6170784 to MacDonald et al.

6135381 to Teson

5771954 to Benner et al.

5526931 to White

5458241 to Brown

5016843 to Ward

4779815 to Moore et al.

4842227 to Harrington et al.

4550891 to Schaty

4261529 to Sandberg et al.

4193563 to Vitale

4163372 to Frye et al.

1429776 to Robinson

D490690 to Brass et al.

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Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 703-308-3271. The examiner can normally be reached (M-F 8 a.m.-5:00 p.m.). If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Leslie Braun can be reached at 703-308-2156. The fax machine number for the Technology center is 703-872-9306 (formal amendments) or 703-308-3519 (informal amendments/communications).

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 703-308-2168.



AJS  
Amy J. Sterling  
8/4/04



ANITA KING  
PRIMARY EXAMINER